

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

v.

ANGEL KEARNEY

Case No. 21-cr-838 (BRM)

ORDER

THIS MATTER is before the Court on the following motions *in limine*. The first are Defendant Angel Kearney's Motions *in Limine* (ECF No. 479) and Supplemental Motion *in Limine* (ECF No. 483). The Government filed oppositions (ECF Nos. 482, 485). The second are the Government's Motions *in Limine* (ECF No. 480). Defendant filed an opposition (ECF No. 481). Having reviewed the parties' submissions filed in connection with the Motions and having held oral argument on January 16, 2025, for the reasons set forth on the record at oral argument and to be memorialized in a forthcoming Opinion, and for good cause having been shown,

IT IS on this 17th day of January 2025,

ORDERED that Defendant's Motions *in Limine* (ECF Nos. 479, 483) are **GRANTED IN PART, DENIED IN PART**, and **RESERVED IN PART**, and the Government's Motions *in Limine* (ECF No. 480) are **GRANTED IN PART** and **RESERVED IN PART**, as follows:

ORDERED that Defendant's motion seeking to preclude the Government from entering into evidence what has been marked for identification as Government Exhibit 320 is **DENIED**; and it is further

ORDERED that Defendant's motion seeking to preclude the Government from entering into evidence what has been marked for identification as Government Exhibit 320A is **DENIED**; and it is further

ORDERED that Defendant's motion seeking to preclude the Government from entering into evidence what has been marked for identification as Government Exhibit 116 is **DENIED**; and it is further

ORDERED that Defendant's motion seeking to bar the Government from referring to Defendant's prior convictions is **RESERVED**; and it is further

ORDERED that Defendant's motion to preclude the Government from mentioning unindicted co-conspirators unless their identity was disclosed to the defense is **GRANTED IN PART** and **RESERVED IN PART**; and it is further

ORDERED that Defendant's motion seeking bifurcation of the trial is **GRANTED**; and it is further

ORDERED that the Defendant's motion to ensure that the Government establishes proper chain of custody as to evidence it seeks to admit at trial is **RESERVED**; and it is further

ORDERED that the Defendant's objection to the authenticity of what has been marked for identification as Government Exhibits 320, 320A, 117-1, 117-2, 117-2A, 117-2B, 117-2C, 117-2D, 115, 115A, 115B, 115C, 115D, 113-1, 113-2, 113-1A, and 113-1B is **DENIED IN PART** and **RESERVED IN PART**; and it is further

ORDERED that the Defendant's motion objecting to the admittance of certain written

transcripts is **GRANTED IN PART** and **DENIED IN PART**; and it is further

ORDERED that the Defendant's request to reserve its rights to object to the authentication of other evidence the Government intends to admit at trial is **GRANTED**; and it is further

ORDERED that the Defendant's request to reserve its rights to introduce exhibits is **GRANTED**; and it is further

ORDERED that the Government's motion seeking to admit two of Defendant's prior felony convictions is **RESERVED**; and it is further

ORDERED that the Government's motion seeking a preliminary ruling on the admissibility of what has been marked for identification as Government Exhibit 116 is **GRANTED**.

A written Opinion describing the Court's reasoning will follow.

/s/ Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE